

CITY OF JEFFERSON

PARKS & RECREATION
COMMISSION

BY-LAWS, RULES, AND
REGULATIONS

ARTICLE I. CREATION OF THE COMMISSION

The Parks and Recreation Commission is authorized under Sections 90.500 through 90.570 of the Revised Statutes of the State of Missouri and created and empowered under Article VI., Section 6.2 of the Charter of the City of Jefferson, Missouri.

ARTICLE II. PURPOSE OF THE COMMISSION

The purpose of the Parks and Recreation Commission is to provide for the diverse leisure, conservation, and recreation needs of present and future generations of mankind in the Jefferson City area to assure a liveable, attractive, healthy, and economically viable community.

The Commission shall be vested with powers, duties, and obligations necessary to accomplish this purpose and shall be charged with stewardship and effective use of the recreation programs, parks and facilities under their direction and advocate improved quality of life through provision of these services.

ARTICLE III. BY-LAWS, RULES, & REGULATIONS

The Parks and Recreation Commission shall make and adopt By-laws, Rules and Regulations for its own guidance and for the government of the parks, recreation programs, and departmental staff, as may be expedient, not inconsistent with the City Charter, ordinances approved by the City Council of Jefferson City, Missouri, and Missouri State Statutes regarding same. Any such by-laws, rules, and regulations shall, when approved by the City Council, have the force and effect of ordinances and may provide the punishment for their violation.

ARTICLE IV. MEMBERSHIP

Section 1. Appointment/Terms/Compensation

The membership of the Commission shall be nine non-partisan members, of which three shall be appointed each year by the Mayor with the approval of the City Council consistent with Paragraph 10 of Section 4.4 of the Charter of the City of Jefferson. Commission Members shall hold offices for a term of three years and until their successors are appointed. No person shall be appointed to the commission for more than two (2) complete consecutive terms, except that a person appointed to fill a vacancy in an unexpired term may serve the remainder of the unexpired term and may also be appointed to two additional full terms. A person may be appointed to a third complete, consecutive term provided the appointment receives two-thirds majority approval of the council, but in no event shall any person be appointed to more than three (3) complete consecutive terms.

No member of the Parks and Recreation Commission shall receive compensation as such.

Section 2. Residency Requirements

Commission Members shall be residents of Jefferson City and shall be chosen at large with reference to their fitness for such office.

Section 3. Restrictions

No member of the municipal government of Jefferson City shall be a member of the Parks and Recreation Commission.

Section 4. Removal

The Mayor may, by and with the consent of the City Council, remove any member of the Parks and Recreation Commission for misconduct or neglect of duty.

Section 5. Vacancies

Vacancies occasioned by removal, resignation or otherwise, shall be reported to the City Council, and shall be filled in like manner as original appointments, except that the term of office is restricted to the unexpired term of office.

ARTICLE V. OFFICERS

Section 1. Election Terms/Removal

The officers of the Commission shall be a President, a Vice-President, and other officers as the Commission deems necessary. The officers shall be elected by the Commission at large at the organization meeting in June to serve for one year or until a successor shall be elected.

No member shall be elected to any office unless he/she shall receive the vote of a majority of the entire Commission. The officers duly elected shall take office immediately upon their selection. Officers may be removed from office at any regular meeting with majority approval of the Commission as a whole. At least one week's advance written notice must be provided to the officer involved.

Section 2. Vacancies In Office

All vacancies in office of any Commission office shall be filled by an election at the first regular meeting of the Commission following such vacancy or vacancies and after notice has been given to each Commission Member of such vacancies; provided, however, that if no candidate shall receive the necessary number of votes at such meeting, then said election shall be held as soon as the requisite number of votes can be obtained.

Section 3. Ad-Hoc Nominating Committee

At the Regular May meeting of the Commission, the President shall appoint an Ad Hoc Nominating Committee consisting of the most recent past president still a member of the Commission as chair, two additional Commission Members, and the Director as an ex-officio member. The Committee shall meet and select nominees for the offices of President and Vice-President and present those nominees to the Commission as a whole for election at the annual organizational meeting in June.

ARTICLE VI. DUTIES OF OFFICERS

Section 1. President

A. Representation/Appointments

The President shall preside at all meetings of the Commission. The President shall appoint all committees and delegates, represent the Commission at public affairs and with the City Council, and shall maintain the dignity and efficiency of the Commission in all possible ways. The President shall perform other duties ordinarily performed by that office.

B. Director Supervision

The President shall serve as the primary contact and liaison from the Commission to the Director and shall be responsible for general supervision of the Director but shall report fully to the Commission. Reprimands and dismissals shall only be issued after a hearing in compliance with the adopted personnel rules and regulations and with the approval of a majority of the Commission as a whole.

C. Meeting Agendas

The President shall be responsible for reviewing agenda items for all regular and special meetings of the Commission.

D. Contract & Agreements

The President is authorized to enter into contractual agreements with the approval of the Commission.

Section 2. Vice-President

A. Committee Oversight

The Vice-President of the Commission in the absence of the President shall perform all the duties of the President. In the absence of both the President and Vice-President, the Commission shall elect a temporary President Pro Tempore who shall perform the duties of the President. The Vice-President shall be charged with the responsibility to see that all standing and temporary committees and delegates function as planned by the Commission.

B. Parliamentarian

The Vice-President shall serve as parliamentarian for the Commission.

ARTICLE VII. MEETINGS

Section 1. Regular Meetings

Regular meetings shall be held of every month during the year at the Parks and Recreation offices unless otherwise agreed upon by the Commission and public notice given of such as required by the Chapter 610 (Open Meeting Law) of the Revised Statutes of the State of Missouri.

Section 2. Special Meetings -- Time and Place

Special meetings may be called by the President, Vice-President, Executive Secretary/Director, or on the written request of at least two members. Committee meetings may be called by the President, Vice-President, Committee Chairperson, or the

Executive Secretary/Director. In so far as possible, the Executive Secretary/Director shall provide at least two days written notice to all members of the Commission of all Special Meetings along with the purpose of the meeting. The President or, in his/her absence, the Vice-President, may call an emergency meeting if the situation warrants, without written notice.

Section 3. Open Meetings

All meetings including special and committee meetings are open to the public, except closed executive meetings which must be announced and called in accordance with Chapter 610 RSMo.

Section 4. Organizational Meeting

The first regular meeting in June of each year shall be called the organizational meeting. The purpose of the meeting shall be the election and installation of officers, and other business that may need to come before such meeting.

Section 5. Quorum

Five members shall constitute a quorum at any regular or special meeting. No action shall be taken or business conducted in the absence of a quorum.

Section 6. Roberts Rules Of Order

Meetings shall be conducted in accordance with Roberts Rules of Order unless otherwise provided for by procedures prescribed in the by-laws. Decisions shall be reached only after full consideration and debate on the issue in question.

Section 7. Agenda/Order Of Business

The Order of Business and Agenda for each meeting shall be determined by the President and Executive Secretary. The order of business shall provide for public comment, financial reports, staff and committee reports, announcements, and other business which may come before the Commission. The presiding officer shall follow the Order Of Business unless modified and approved by a vote of the Commission.

Section 8. Voting Procedures

All members present at a regular or special meeting, including the President, shall have an equal vote on any matter before the Commission. The President shall be the last to vote. A simple majority shall prevail. When requested by any member of the Commission a roll call shall be taken and the ayes and nays recorded in the official minutes of the meeting.

All votes on motions to close a meeting to executive or closed session must be taken by roll call and the vote of individual members recorded in the Minutes of the open portion of the meeting along with the reason for holding the closed session. All votes on motions taken in Closed Session must also be taken by roll call and the vote of individual members recorded in the minutes of the Closed Session. Posting of actions taken in Closed Session shall be in accord with Chapter 610 RSMo.

Section 9. Press Briefings

Following the adjournment of any meeting, the President or Director is authorized to give to the press or other interested parties information on specific Commission action, in order that such information may have official standing.

In the absence of the President, the information will be made available by the presiding officer. Under no circumstances is any member to take any action or make any statement committing the Commission as a whole, unless given authority to do so by a majority vote of the Commission as a whole.

Section 10. City Council Liaison

The Mayor and City Council shall designate a member of the City Council to serve as a non-voting liaison to the Commission and attend Commission Meetings. An alternate shall be appointed to attend meetings in absence of the Liaison.

The Mayor and City Council shall be furnished with prior notices of the meetings of the Parks and Recreation Commission and shall be sent copies of the approved minutes of each meeting.

ARTICLE VIII. DUTIES AND RESPONSIBILITIES OF THE COMMISSION

Section 1. General Duties and Responsibilities

A. Facility Stewardship

Be responsible for the improvement, supervision, care and custody of Parks and Recreation facilities.

B. Director Selection/Guidance

Select a professionally trained, experienced, and competent Director of Parks and Recreation who shall also serve as Executive Secretary to the Commission. Provide for his/her guidance through the development, adoption, and support, of a clear set of goals and policy statements to be followed in carrying out the purpose for which the Commission was established.

The Director shall administer on the Commission's behalf the policies set forth by the Commission and manage the day-to-day operation of the Department including all personnel matters and the budget.

C. Community/Governmental Relations

Interpret the Recreation and Park services of the Department to the community and interpret the needs and desires of the community to the Director, to the City Council and other agencies of government and the private sector.

D. Service Evaluation

Periodically evaluate:

1. The progress of land acquisition and facility development programs.
2. The effectiveness of recreation programs.

3. The level of maintenance of park areas.
 4. The safety of facilities provided by the Commission.
 5. The work of the Director in accordance with personnel evaluation procedures as established by the Employee Performance Evaluation System.
- E. Coordination/Other Agencies
Aid in coordinating the recreation services and programs of other agencies, both public and private, providing recreation in the community.
- F. Donations
Direct all private donations in any form to the Parks and Recreation Foundation in accordance with policy that the Commission and Foundation believe is in the best interest of the citizens of Jefferson City.
- G. Use Policies
Develop, adopt, and enforce a set of program, facility, and park rules, regulations and policies which maximize high quality usage and participation at minimum cost to the Commission while insuring future park and recreation opportunities.
- H. Services Acquisition
Acquire appropriate professional, commercial or governmental services as required.
- I. Attendance Record
Attendance by members of the Parks and Recreation Commission at the regular Parks and Recreation Commission meeting is expected and shall be in compliance with Section 2-417 of the code of the City of Jefferson as follows.
- All persons appointed to any board or commission of the City shall attend at least two-thirds of the regularly scheduled meetings of the board or commission upon which they serve. Should any member of a board or commission fail to attend two-thirds of the meetings occurring in any one year measured from the time of their appointment, their position on such board or commission shall be deemed vacant and a replacement shall be named as provided.
- In computing attendance, no allowances shall be made for any excuses. The standard shall be in absolute meetings held as the denominator and meetings attended as the numerator. The minutes of each regular meeting shall reflect the presence or absence of each Commission Member and indicate the number of absences for the previous twelve months.
- J. Personnel Rules & Regulations
Adopt in whole or as modified the Personnel Rules and Regulations for the Municipal Service of Jefferson City, Missouri, and the Position Classification and Pay Plans for Jefferson City to govern employment of the Department of Parks

and Recreation personnel. Those plans shall be reviewed and updated as needed to remain current with employees of other city departments and to assure the staff of the Department of Parks and Recreation the same respect regarding working hours, sick leave, vacations, holidays, accident compensation, job security, and retirement benefits as apply to comparable staff in other organizations and cities.

- K. Ordinances
Recommend to the City Council ordinances deemed necessary to secure the Parks and Recreational activities for the community.
- L. Permits & Fees
Establish a system of permits and fees for regular and special park use and for recreation program services.
- M. Park/Facility Hours
Determine appropriate opening/closing hours for each park and facility.
- N. Protection Of Facilities
Determine rules and regulations as necessary to insure proper use and protection of parks and recreation facilities.
- O. Contracts & Agreements
Enter into contracts and agreements as necessary to fulfill the duties and responsibilities of the Commission.
- P. Citizen Advisory Groups
May appoint from time to time an ad hoc citizen advisory group or committee outside the membership of the Commission to provide information and advice in various areas of concern to the Commission. Any such advisory groups shall be formed by a duly passed resolution of the Commission stating the needs and reasons for creation of the group, specifying the number and qualifications of its members, and charging it with specific duties and responsibilities.

Such advisory groups shall be created and function for a maximum period of two years from the date of the resolution creating the group and shall cease to exist and function following that date except by official re-authorization of the Commission by resolution.
- Q. Delegation Of Authority
The Commission may not delegate any of its official authority or responsibility to any advisory group nor shall any advisory group have the power or authority to bind the Commission or act on its own other than to make recommendations to the staff and/or Commission for their consideration.
- R. Environmental Quality Commission Liaison

The Commission is entitled by City Ordinance to have one of its members serve as a Liaison to and voting member of the Environmental Quality Commission of the City of Jefferson. The Commission shall elect one of its members as Liaison for a period of one year at the annual organizational meeting in June.

Section 2. Financial Duties and Responsibilities

A. Operating Budget

The Commission shall prepare or cause to be prepared an annual budget sufficient to finance the operation and improvement of the program of Recreation and Parks that the Commission feels is necessary for the welfare of the residents of Jefferson City.

B. Capital Improvements Budget

The Commission shall also annually prepare or cause to be prepared a budget for capital improvements guided by the Master Plan for Parks and Recreation and request allocation of funds sufficient to provide for these needs in addition to operating requirements. The budget shall be submitted to the City Council at the time designated by the Council to hear the requests.

C. Park Fund Responsibility/Control

The Commission shall be responsible for securing funding sufficient to carry out its purpose and finance the operation and improvement of its program of Recreation and Parks. The Commission shall have exclusive control of the expenditures of all monies collected and deposited to the credit of the Park Fund and shall assure that expenditures are for Park and Recreation purposes only as approved by the Commission.

All purchasing and record keeping procedures shall be in conformance with generally accepted accounting principles and shall be performed in cooperation with the City of Jefferson Finance Department and its written policies, procedures, and guidelines as may be modified by these by-laws.

Section 3. Planning Duties and Responsibilities:

A. Community Needs Assessment

The Commission shall investigate and determine the needs and interests of the community for recreation facilities and activities and provide a program to meet these needs.

B. Master Plan

The Commission shall prepare or cause to be prepared a Master Plan for the development of an adequate system of parks, facilities and recreation programs for present and future residents of the Jefferson City area.

ARTICLE IX. DUTIES AND RESPONSIBILITIES OF THE DIRECTOR

Section 1. Parks Maintenance & Improvements

The Director shall plan, organize, and supervise a comprehensive maintenance program for the city parks.

Section 2. Recreation Program Operations

The Director shall plan, program, and supervise the Departmental recreation programs for the city. He/she shall evaluate the resources, facilities, and needs for recreation in the city, and recommend programs to meet these needs to the Parks and Recreation Commission.

Section 3. Schedule Control/Coordination

The Director shall aid in the coordination of all other recreation programs planned by other agencies and associations within the city. This shall include the scheduling and use of all Park and Recreation facilities.

Section 4. Budget Preparation and Management

The Director shall prepare an annual departmental operating budget and capital improvement budget for Commission approval. The Director shall be responsible for monitoring revenues and controlling expenses to maintain the Department of Parks and Recreation as a whole within the adopted or amended budgets. The Director shall transfer funds between the budget line item accounts and divisions or sections of the operating and capital improvement budgets as necessary to assure the continued daily operation of the Department as a whole. The Director is authorized to make such transfers and budget amendments without further Commission approval provided they do not exceed the adopted or amended Department budgets as a whole, and provided that the Director so notifies the Commission prior to its approval of the budget the following year.

Section 5. Represent Commission/Department

The Director shall represent the department at public, civic, professional, and governmental meetings and conferences.

Section 6. Personnel Management

The Director or his appointed representative shall recruit, interview, and hire all applicants for full time regular, part-time and temporary employment in accordance with the Personnel Rules and Regulations for the Municipal Service of Jefferson City, Missouri and in cooperation with the City of Jefferson personnel officer. He shall supervise, schedule, evaluate, and discipline employees as necessary.

Section 7. Commission Advisement

The Director shall advise the Parks and Recreation Commission of the general status of the park system and keep them informed of the general maintenance and equipment needs of the city parks.

Section 8. Purchasing Authority

The Director shall have the authority to requisition and purchase materials and supplies as needed for the Department of Parks and Recreation and approve contract change

orders not to exceed \$25,000.00 without Commission approval but shall inform the Commission of any such purchases, contracts or change orders between \$10,000.00 and \$25,000.00. All items above \$25,000.00 are subject to bid and Commission approval, and shall be purchased under the guidelines of Internal Purchasing Procedures, Finance Department, City of Jefferson, as may be modified by these by-laws.

Section 9. Planning and Development

The Director shall be responsible for coordinating and assisting in the planning for future park development and expansion.

Section 10. Related Responsibilities

The Director shall perform any other related work that shall be required to maintain a well-rounded Park and Recreation program for the people of the Jefferson City area.

Section 11. Policy Implementation

The Director shall be under the general supervision of the President of the Parks and Recreation Commission. He/she shall be responsible for implementation of policy directives adopted by the Commission, but shall not perform at the request of any individual Commission Member or Committee any function which has not been formally discussed and approved by the Commission as a whole.

Section 12. Executive Secretary Duties

The Director shall serve as Executive Secretary to the Commission and in addition to other duties shall be responsible for those duties ordinarily performed by the Secretary. He/she may select or appoint a member of the staff to serve as recording secretary.

ARTICLE X. COMMITTEES

Section 1. Committee Structure

The Commission may create committees for the purpose of assisting and advising the Commission but shall not delegate any of its official authority to any committee.

Section 2. Determination Of Need

Agreement shall be made at the June organizational meeting as to what committees are required for the year ahead.

Section 3. Creation & Appointments

The President shall appoint any committee agreed upon by the Commission at the July meeting or throughout the year, and designate a chairperson for the committee. Items of business may be referred to committees by motion and approval of the Commission.

Section 4. Dissolution

All committees shall be dissolved when the purpose for which they were appointed has been fulfilled or by action of the Commission.

Section 5. Committee Composition

Each committee shall consist of not less than three members of the Commission. Additional appointments outside the Commission membership may be named by the President. The president shall be an ex-officio member of all committees. The Director shall serve as an advisory member of every committee of the Commission on all matters of park and recreation policy and procedure.

Section 6. Committee Records/Actions

A written record of the actions of each committee shall be kept by the Chairperson of the said committee or the Executive Secretary and shall be reported to the full Commission at its next regular meeting. No committee shall have authority to initiate any action on its own. Committee recommendations shall be presented to the full Commission for adoption, modification, or rejection.

Section 7. Meetings

Committees shall meet from time to time as necessary to discuss issues related to fulfilling all their particular responsibilities. Committee meetings may be called by the President, Vice-President, Committee Chairperson, or Director. All committee meetings shall be held in a public place and in accordance with Chapter 610 RSMo. (Open Meetings Law). Public notice shall be given along with a tentative agenda at least twenty-four hours in advance of the meeting. Those in attendance at any Committee Meeting shall constitute a quorum.

ARTICLE XI. CONFLICT OF INTEREST/FINANCIAL DISCLOSURE

All members of the City Council and Parks and Recreation Commission shall disclose any organizational, business or financial interests which they have, direct or indirect in any program, agreement, or contract with the Commission or in the sale to the Commission of any materials, supplies, and/or services. Such disclosure shall be publicly made and the member involved shall not participate in any discussion or decision making process relating to any such conflicting matter.

ARTICLE XII. ANTI-NEPOTISM

No member of the City Council or the Parks and Recreation Commission or members of their immediate families as defined in the Personnel Rules and Regulations for the Municipal Service of Jefferson City, Missouri, shall be appointed, employed, re-employed, promoted, advanced, or advocated for appointment, employment, re-employment, promotion, or advancement in or to any position, regular or contractual, over which the Parks and Recreation Commission exercises jurisdiction or control.

This article shall not apply to permanent employees holding positions at the time of election of council members or appointment of Parks and Recreation Commission Members. Seasonal, part-time, and/or temporary employees may continue their positions until positions are terminated for the season, but may not be re-employed or employed in another capacity so long as a member of their immediate family is a member of the City Council or Parks and Recreation Commission.

ARTICLE XIII. IMPLEMENTATION/NON-INTERFERENCE

No individual Parks and Recreation Commission Member shall be responsible for or interfere in the day-to-day operations of the Department of Parks and Recreation. All policy directives made by the Parks and Recreation Commission as a whole shall be given to the Director of Parks and Recreation for implementation and he shall be responsible for carrying out those policy decisions.

Nothing herein shall prohibit individual Parks and Recreation Commission Members from making inquiries for informational purposes or relaying complaints to the Director. All policy statements of the Commission shall be reduced to writing and adopted or amended by a majority vote of the Commission. Policy statements shall not be a part of these By-Laws, but shall be kept separate and apart in manual form.

ARTICLE XIV. ADOPTION AND AMENDMENTS


These By-Laws may be amended at any regular meeting of the Commission by a majority vote of the Commission, provided previous notice of the nature of any proposed amendment shall have been given at least one regular meeting before the action thereon shall be taken. To allow full public notification of amendments the complete amendment shall be presented in writing and reviewed at a regular or special meeting before the meeting at which the vote is taken.

Upon adoption by the Commission these By-Laws and any subsequent amendments shall replace any and all previously adopted By-Laws of the City of Jefferson Parks and Recreation Commission.

WHEREAS, the above stated By-Laws were amended and approved by the Parks and Recreation Commission on this 12th day of November, 2013.


President

ATTEST:


Executive Secretary